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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,218	10/30/2000	Arthur W. Wang	PD-990302	9458

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PATENT DOCKET ADMINISTRATION RE/R11/A109
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EXAMINER

LEE, JOHN J

ART UNIT PAPER NUMBER

2684

DATE MAILED: 05/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/702,218

Applicant(s)

WANG, ARTHUR W.

Examiner

JOHN J LEE

Art Unit

2684

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 2 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 12-14.Claim(s) objected to: 8, 23 and 32.Claim(s) rejected: 1-7, 9-11, 15-22, 24-31 and 45-52.Claim(s) withdrawn from consideration: 33-44.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: See Continuation Sheet

Continuation of 5. does NOT place the application in condition for allowance because: The applicant's arguments received on 4/19/2004 have been carefully considered but they are not persuasive because the combined teaching of all the cited references as set forth in the previous final rejection reads on the all rejected claims.

In this case, for example, The Applicant argues that the combination of Castiel et al. (US Patent number 6,678,519) and Briskman et al. (US Patent number 6,564,053) do not teach the claimed limitation "satellite augments at least one legacy satellite in a geostationary orbit". However, the Examiner respectfully disagrees with Applicant's assertion, the Examiner is of the opinion that Briskman teaches geostationary satellite (Fig. 1), which is currently using (means used or heritage satellite because the geo satellite is not new one) or has been used for broadcasting multimedia signals (see Fig. 1, column 3, lines 20-30, and column 1, lines 37-65) regarding the claimed limitation, provide reducing the cost in satellite system.

The claimed limitation is not limited or required the legacy satellite in a geostationary orbit is a special kind orbit or has a special function for satellite communication.

Continuation of 10. Other: Any inquiry concerning this communication or earlier communications from the examiner should be directed to John J. Lee whose telephone number is (703) 306-5936. .


NAY MAUNG

SUPERVISORY PATENT EXAMINER